



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 08/863,047 | 05/23/97 | ITO F | 35.C12088 |

005514 LMC1/0303
FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-3801

EXAMINER
COLBERT, E

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2771 | 8 |

DATE MAILED: 03/03/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/863,047

Applicant(s)
Fumiaki et al

Examiner
Ella Colbert

Group Art Unit
2771



☒ Responsive to communication(s) filed on Jan 11, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 3-5, and 8-61 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 3-5, and 8-61 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2771

Response to Amendment

1. Claims 1, 3-5 and 8-61 are presented for examination.
2. The prior Office Action is included by reference.
3. Those applicable sections of Title 35 of United States Code not presented herein were presented in an earlier Office Action.
4. Applicant's response of 11 January 1999 to the Office Action has been entered as Amendment A, paper number 7.
5. Applicant's arguments with respect to claims 1, 3-5 and 8-61 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1, 3, 5, 8-34 and 39-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Morita et al (US 5,832,470), hereafter Morita.

In regard to claim 1, "a document retaining means for retaining a plurality of folders each storing at least one document" (see column 2, in particular lines 66-67 and column 3, in

Art Unit: 2771

particular lines 1-10), “candidate folder selecting means for selecting a candidate folder suitable for retaining a new document by comparing a feature of the new document with an average of features of the documents stored in a folder among the plurality of folders (see **column 3, in particular lines 48-57, column 6, in particular lines 50-56 and column 11, in particular lines 1-17)** and “notifying means for providing notification of selected by said candidate folder selecting means (**column 12, in particular lines 27-44 and column 14, in particular lines 50-67**).

In regard to claim 3, “a document processing system according to claim 1, wherein a plurality of candidate folders suitable for saving the new document are selected and a list of a plurality of selected candidate folders is displayed” (**column 16, in particular lines 29-52**).

In regard to claim 5, “a retaining means for retaining a plurality of folders each storing a plurality of sets of documents” (**column 3, in particular lines 20-32**), “selecting means for selecting a folder from among said plurality of folders based on a number of sets of document information containing a keyword inputted as a search condition” (**column 25, in particular lines 27-35 and lines 63-67 and column 26, in particular lines 1-9**) and “notifying means for providing a notification of the folder selected by said folder determining means (**Column 29, in particular lines 57-67 and column 30, in particular lines 1-3 and lines 60-67**).

In regard to claim 8, “a document processing system according to claim 5, wherein said selecting means selects the folder through statistical estimation using the number of information

Art Unit: 2771

sets of documents belonging to the folder and the number of documents matching the search condition” (**column 11, in particular lines 53-57 and column 24, in particular lines 36-57**).

In regard to claim 9, “retaining a plurality of folders each storing at least one document” (**column 2, in particular lines 66-67**), “selecting a candidate folder suitable for retaining a new document by comparing a feature of the new document with an average of features of the documents in a folder among the plurality of folders” (**column 3, in particular lines 48-57 and column 6, in particular lines 50-56**) and “providing a notification of the candidate folder selected in said selecting step” (**column 12, in particular lines 27-44**).

In regard to claim 10, “judging a similarity degree between document information and a plurality of sets of information of documents stored in a folder” (**column 1, in particular lines 38-67, column 6, in particular lines 57-67 and column 7, in particular lines 1-8**), “calculating a similarity order of a plurality of folders in accordance with the similarity judged in said judging step” (**column 13, in particular lines 5-18, column 25, in particular lines 63-67 and column 26, in particular lines 1-9**) and “providing notification of the similarity order of the plurality of folders calculated in said calculating step” (**column 26, in particular lines 10-38 and column 27, in particular lines 2-24**).

In regard to claim 11, “retaining a plurality of folders each storing a plurality of sets of document information” (**column 3, in particular lines 20-32**), “selecting a folder from among the plurality of folders based on a number of sets of document information containing a keyword

Art Unit: 2771

inputted as a search condition” (**column 25, in particular lines 27-35 and lines 63-67 and column 26, in particular lines 1-9**) and “providing a notification fo the folder selected in said selecting step” (**column 29, in particular lines 57-67 and column 30, 1-3**).

Claim 12 is rejected on the same basis as stated above for claim 9.

Claim 13 is rejected on the same basis as stated above for claim 10.

Claim 14 is rejected on the same basis as stated above for claim 11.

Claims 15 and 16 are rejected on the same basis as stated above for claim 3.

In regard to claim 17, “further comprising means for updating the feature of the folder in response to saving of the new document in the candidate folder” (**column 14, in particular lines 5-10**).

In regard to claim 18, “wherein the document includes vector data” (**column 11, in particular lines 20-36**).

In regard to claim 19, “wherein the candidate folder has a high-level rank as determined by the result of the comparison” (**column 12, in particular lines 45-64**).

In regard to claim 20, “wherein said notifying means displays a label which is set in advance to indicate the candidate folder” (**column 25, in particular lines 19-35**).

In regard to claim 21, “wherein the document includes text data” (**column 25, in particular lines 40-62**).

Art Unit: 2771

In regard to claim 22, “further comprising means for causing the selected candidate folder to save the new document” (**column 26, in particular lines 10-38**).

Morita did not disclose “saving the new document” but it would be inherent to save the new document for a user to retrieve when needed in the future.

Claim 23 is rejected on the same basis as stated above for claim 17.

Claim 24 is rejected on the same basis as stated above for claim 18.

Claim 25 is rejected on the same basis as stated above for claim 19.

Claim 26 is rejected on the same basis as stated above for claim 20.

Claim 27 is rejected on the same basis as stated above for claim 21.

Claim 28 is rejected on the same basis as stated above for claim 22.

Claim 29 is rejected on the same basis as stated above for claim 23.

Claim 30 is rejected on the same basis as stated above for claim 18.

Claim 31 is rejected on the same basis as stated above for claim 19.

Claim 32 is rejected on the same basis as stated above for claim 20.

Claim 33 is rejected on the same basis as stated above for claim 21.

Claim 34 is rejected on the same basis as stated above for claim 22.

In regard to claim 39, “wherein, in notifying step, notification is provided only of a predetermined number of folders which have a high rank of similarity order” (**column 18, in particular lines 48-67 and column 19, in particular lines 1-30**).

Art Unit: 2771

In regard to claim 40, “wherein the document is stored in at least one folder mentioned in the notification provided in the notifying step” (column 2, in particular lines 66-67 and column 3, in particular lines 1-19).

In regard to claim 41, “wherein said notifying step includes displaying a label set in advance to the selected folder” (**column 25, in particular lines 19-35**).

Claim 42 is rejected on the same basis as stated above for claim 33.

Claim 43 is rejected on the same basis as stated above for claim 29.

In regard to claim 44, “wherein the document is stored in at least one folder mentioned in the notification provided in said notifying step” (**column 6, in particular lines 50-56 and column 8, in particular lines 42-56**).

In regard to claim 45, “wherein said notifying step includes displaying label set in advance to the selected folder” (**column 2, in particular lines 49-67 and column 4, in particular lines 3-39**).

Claim 46 is rejected on the same basis as stated above for claim 33.

In regard to claim 47, “wherein said notifying means displays a label set in advance to indicate the selected folder” (**column 25, in particular lines 8-18 and lines 19-35**).

In regard to claim 48, “wherein the selected folder contains a predetermined number of folders which are highly ranked in said number” (**column 16, in particular lines 53-67 and column 17, in particular lines 1-4**).

Art Unit: 2771

In regard to claim 49, “wherein said selecting means selects folders which are highly ranked in including the keyword” (**column 20, in particular lines 40-62**).

In regard to claim 50, “wherein the document information includes text data” (**column 25, in particular lines 40-62**).

In regard to claim 51, “further comprising control means for causing the selected folder to store the document information” (**column 21, in particular lines 19-30**).

Claim 52 is rejected on the same basis as stated above for claim 47.

Claim 53 is rejected on the same basis as stated above for claim 48.

Claim 54 is rejected on the same basis as stated above for claim 49.

Claim 55 is rejected on the same basis as stated above for claim 50.

Claim 56 is rejected on the same basis as stated above for claim 51.

In regard to claim 57, “wherein said notifying step includes displaying a label set in advance to indicate the selected folder” (**column 3, in particular lines 48-57 and column 6, in particular lines 15-24**).

Claim 58 is rejected on the same basis as stated above for claim 48.

Claim 59 is rejected on the same basis as stated above for claim 49.

Claim 60 is rejected on the same basis as stated above for claim 55.

Claim 61 is rejected on the same basis as stated above for claim 51.

Art Unit: 2771

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 4 and 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Hill et al (US 5,745,893), hereafter Hill.

In regard to claim 4, “judging means for judging a similarity degree between document information and a plurality of sets of information of documents stored in a folder” (**column 1, in particular lines 33-41 and column 2, in particular lines 25-38**), “similarity order calculating means for calculating a similarity order of a plurality of folders in accordance with the similarity judged by judging means” (**column 1, in particular lines 42-67 and column 2, 39-48**) and “notifying means for providing notification of the similarity order of the plurality of folders calculated by said similarity order calculating means” (**column 3, in particular lines 1-38**).

In regard to claim 35, “wherein said notifying means provides notification oly of a predetermined number of folders which have a high rank of similarity order” (**column 6, in particular lines 24-38**).

Art Unit: 2771

In regard to claim 36, “wherein the document stored in at least one folder mentioned in the notification provided by said notifying means” (**column 6, in particular lines 60-67 and column 7, in particular lines 1-16**).

In regard to claim 37, “wherein said notifying means displays a label set in advance to the selected folder” (**column 2, in particular lines 49-67 and column 4, in particular lines 3-39**).

In regard to claim 38, “wherein the document includes text data” (**column 4, in particular lines 41-61**).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Driscoll (5,642,502) disclosed searching for relevant documents using statistical ranking.
7. Turtle et al (5,488,725) disclosed document retrieval by successive iterated probability sampling.
8. Gallant (5,317,507) disclosed document storage by combining the context vectors of the words.
9. Hill et al (5,745,893) disclosed a symmetric matrix with a relevance value representing a relevance between each document .
10. Lewak (5,544,360) disclosed organization of data into files and directories (file folders and hanging files).

Art Unit: 2771

11. Caid et al (5,619,709) disclosed context vector generation and retrieval.
12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

INQUIRIES

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Ella Colbert whose telephone number is (703) 308-7064. The Examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m. EST.
- If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Thomas Black, can be reached on (703)305-9707.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Serial Number: 08/863,047

Page 12

Art Unit: 2771

Or faxed to:

(703)308-9051, (for formal communications intended for entry).

Or:

(703)308-5403 (for informal or draft communications, please label

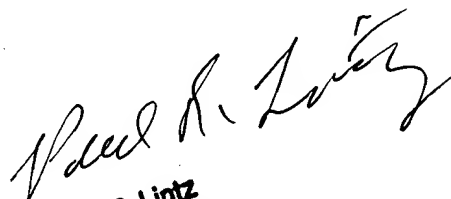
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703)308-9600.

Colbert

February 25, 1999


Paul R. Lintz
Primary Examiner